

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

In re: Ronyetta K Bell

	)	17 B 31129
	)	
Debtor(s)	)	Judge Janet S. Baer

***NOTICE OF MOTION AND CERTIFICATE OF SERVICE***

Ronyetta K Bell  
895 E Red Oak St.  
Addison, IL 60101

David Cutler  
4131 Main St.  
Skokie, IL 60076

Please take notice that on March 1, 2019 at 9:30 a.m. a representative of this office shall appear before the Honorable Judge Janet S. Baer or any other Bankruptcy Judge who may preside in her place and stead, at Kane County Courthouse, 100 S 3rd Street, Courtroom 240, Geneva, Illinois 60134 and present this motion.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

I certify that this office caused a copy of this notice to be delivered to the above listed debtor by depositing it in the U.S. Mail at 801 Warrenville Road, Lisle, Illinois 60532 and to all other listed parties electronically via the Court's CM/ECF system on February 20, 2019.

/s/ Glenn Stearns

For Glenn Stearns, Trustee

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**MOTION TO DISMISS AND REQUEST FOR A 180 DAY BAR TO REFILING**

Now Comes Glenn Stearns, Chapter 13 Trustee, requesting dismissal of the above case with a 180 Day bar to Refiling pursuant to 11 U.S.C. Sections 109 (h), 1307(c) and 349(a) and in support thereof, states the following:

1. On October 18, 2017 the debtor filed a petition under Chapter 13.
2. This is the debtor's third Chapter 13 filing in 18 months.

3. A summary of the debtor's relevant filing history is summarized below.

<u>Case No.</u>	<u>Date Filed</u>	<u>Outcome</u>
16 B 06982	2/29/2016	Dismissed without confirmation on May 17, 2016.
16 B 34075	10/25/2016	Dismissed after confirmation on June 1, 2017. Debtor made no payments after confirmation.
17 B 31129	10/18/2017	Debtor's current case.

4. On January 5, 2018 the debtor's modified plan filed December 27, 2017 (Doc 29) was confirmed.
5. Debtor's plan requires her to make plan payments of \$164 monthly for 48 months, for total payments of \$7,872.
6. The debtor has made plan payments totaling \$1,758.
7. The accrued default under the plan of \$866 is equal to more than five plan payments.
8. The debtor's last plan payment posted on October 30, 2018.
9. The debtor is in default of the terms of her confirmed plan.
10. No money has been disbursed to unsecured creditors in any of the debtor's cases.
11. The debtor's failure to properly prosecute this case is an unreasonable delay that is prejudicial to creditors.
12. The debtor's failure to comply with the Bankruptcy Code and properly prosecute this case in her third filing in eighteen months demonstrates that the debtor has filed this case in bad faith and has no ability or intention to complete a Chapter 13 plan.
13. Section 349(a) allows a bankruptcy court to bar future filings if cause exists to do so.

14. Dismissal with prejudice is proper for bad faith, serial filing cases. In re Standfield, 152 B. R. 528 (Bankr. N.D. Ill 1993). In re Herrera, 194 B.R. 178 (Bankr. N.D. Ill 1996).

WHEREFORE, the Trustee prays that this case be dismissed for cause pursuant to §1307 (c) and the debtor be barred from filing any other bankruptcy case for 180 days pursuant to Sections 109 (g) and 349(a), and for such other and further relief as this court deems proper.

Respectfully Submitted;  
Glenn Stearns, Trustee

/S/ Glenn Stearns  
By: Glenn Stearns

Glenn Stearns, Chapter 13 Trustee  
801 Warrenville Road, Suite 650  
Lisle, IL 60532-4350  
630-981-3888